IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 12TH SEPTEMBER, 2007 / 21ST BHADRA, 1929

WP(C).No. 25562 of 2007(R)

---

PETITIONER:

---

AJAYAKUMAR T., S/O.THANKAPPAN PILLAI,
GOUREESHAM, NEDUVATHOOR, NEELESWARAM P.O.,
KOTTARAKARA, KOLLAM (JUNIOR SYSTEM ABNALYST,
TECHNICAL HIGHER SECONDARY SCHOOL, IHRD, ADOOR)

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

---

1. INSTITUTE OF HUMAN RESOURCES DEVELOPMENT
PRAJO'E TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM, REPRESENTED BY ITS DIRECTOR.

2. THE DIRECTOR,
INSTITUTE OF HUMAN RESOURCES DEVELOPMENT,
PRAJO'E TOWERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM.

BY ADV. SRI.N.N.SUGUNAPALAN, SC FOR IHRDE
SRI.S.SUJIN, SC, IHRD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.25562 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of the order dated 12.12.2005 issued by R2.

Ext.P2: Copy of the Circular dtd.28.12.2005 issued by R2.

Ext.P3: Copy of the seniority list of Computer programmers as on 31.12.1999.

Ext.P4: Copy of representation dtd.25.7.2007 submitted by the petitioner before R2.

Ext.P5: Copy of representation dtd.6.8.2007 before 2nd respondent.

-True Copy-

P.A.to Judge.

**S. SIRI JAGAN, J.**

**----------**

**W.P (C) NO. 25562 OF 2007 - R**

**----------**

**Dated this the 12th day of September, 2007**

**J U D G M E N T**

The petitioner is presently working as Junior System Analyst in Technical Higher Secondary School, Adoor. According to him, he has all the requisite qualifications for appointment to the post of Lecturer in Computer Application/System Analyst. Formerly, the rules provide that 100% of the vacancies which arise shall be filled up by promotion from internal candidates. While that rule was in force, a notification was issued inviting the application for selection to the said post. Subsequently, the rules were amended reducing the quota for internal promotion to 30% and making the balance vacancies to be directly recruited. The contention of the petitioner is that the respondents shall fill up only the vacancies notified as per the notification inviting applications and subsequent vacancies are to be filled up as per the amended recruitment rules.

2. A statement has been filed on behalf of the first respondent which reads thus:-

> "The above writ petition is filed seeking for a writ of mandamus directing the 1st respondent not to fill up the vacancies by conducting selection in respect of the vacancies that had arisen subsequent to 16.1.2006. It is submitted that upon hearing the matter, this Hon'ble Court wanted to get details regarding the vacancies to which selection is proposed to be conducted. It is submitted that the Director has given written instructions stating that the vacancies to be filled up as per the notification will be only to those vacancies available on the date of notification and the subsequent vacancies which have arisen will be filled up in the next process and that the claim of the petitioner and similarly placed internal candidates will be considered at that time."

3. In view of the said statement, no further orders are necessary in this writ petition and accordingly, this writ petition is disposed of recording the above statement. I further direct that the

subsequent vacancies shall be filled up, as expeditiously as possible.

**S. SIRI JAGAN,**
**Judge**

Mbs/

**S.SIRI JAGAN, J**

---

W.P.(C) NO. OF 2001

---

J U D G M E N T

DATED: 07-09-2007